

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 188945

62

ORIGIN EA-10

INFO OCT-01 ISO-00 L-03 CIAE-00 INR-07 NSAE-00 EB-07

COME-00 TRSE-00 /028 R

DRAFTED BY EA/IMS:ARDORNHEIM:CCH

APPROVED BY EA/IMS:EDWARD C. INGRAHAM

----- 012357

R 090115Z AUG 75

FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

LIMITED OFFICIAL USE STATE 188945

E.O. 11652: N/A

TAGS: CPRS, EINV, ETRD, BEXM, ID

SUBJECT: P.T. BAUD CLAIM

1. DEPT. OFFICERS DISCUSSED P.T. BAUD CLAIM WITH
INDONESIAN EMBASSY ECONOMIC COUNSELOR ADIWOSO IN COURSE
OF AUGUST 7 MEETING.

2. ADIWOSO STATED THAT REPLY FROM WARDHANA HAS ALREADY
GONE, OR WOULD SHORTLY BE GOING, DIRECTLY TO SEA OIL AND
GENERAL PRESIDENT SULLIVAN, REAFFIRMING GOI OFFER IN
WARDHANA'S JANUARY 28 LETTER. HE CONFIRMED EMBASSY'S
REPORT (JAKARTA 9334, 9490) THAT CONTENTS OF THIS LATEST
REPLY HAVE RECEIVED VERY CLOSE GOI SCRUTINY. WHEREAS

JANUARY 28 LETTER WAS VETTED ONLY BY MID-LEVEL MINISTRY
JUSTICE OFFICIALS, HE SAID, LATEST LETTER WAS CLEARED BY
MINISTER OF JUSTICE HIMSELF. LATTER HAS ASSURED OTHER
INTERESTED GOI OFFICIALS THAT GOI COULD EXPECT TO HAVE
ITS POSITION UPHELD IF THE CLAIM WERE PRESENTED TO THIRD
PARTY FOR ADJUDICATION. ADIWOSO ADDED THAT GOI HAS EVEN
SET UP AN AD HOC GROUP TO PREPARE GOI'S CASE IN EVENT
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 188945

CLAIM IS PRESENTED TO ICSID. AS IN CASE OF JANUARY 28

LETTER, LATEST REPLY TO SULLIVAN RECEIVED FINAL APPROVAL
FROM PRESIDENTIAL OFFICE, ALTHOUGH WARDHANA PROBABLY

DISCUSSED MATTER WITH SUDHARMONO RATHER THAN WITH
SUHARTO PERSONALLY. (ADIWOSO DISCLOSED THAT REASON WHY
WARDHANA AVOIDED SULLIVAN IN WASHINGTON LAST OCTOBER WAS
THAT HE HAD NOT BEEN ABLE TO DISCUSS HIS PROPOSED
HANDLING OF CLAIM WITH SUHARTO PRIOR TO HIS DEPARTURE.).
ONE FACTOR BEHIND GOI'S REAFFIRMATION OF POSITION TAKEN
IN WARDHANA JANUARY 28 LETTER IN ADDITION TO GOI BELIEF
THAT IT IS LEGALLY CORRECT--IS GOI CONCERN THAT IF IT
OFFERED SEA OIL SETTLEMENT ON TERMS DIFFERENT FROM THOSE
ALREADY NEGOTIATED WITH OTHER FOREIGN CLAIMANTS, LATTER
MIGHT SEEK RENEGOTIATION OF THEIR SETTLEMENTS.

3. ADIWOSO SAID REPLY TO SULLIVAN WOULD NOT INCLUDE
AN ARBITRATION OFFER. GOI BELIEVES SEA OIL SHOULD BE
THE ONE TO TAKE INITIATIVE TO REQUEST ARBITRATION OR
OTHER FORM OF THIRD PARTY ASSISTANCE IN RESOLVING DIS-
PUTE. IF SEA OIL DOES THIS, GOI IS PREPARED TO REACT
POSITIVELY. IN RESPONSE TO QUERY, ADIWOSO ADDED THAT
CLAIM COULD ALSO BE ADJUDICATED IN INDONESIAN COURTS.

4. WE HAVE NO INDICATION YET THAT SULLIVAN
HAS RECEIVED GOI REPLY. KISSINGER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ARBITRATION, DISPUTES, INVESTMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 AUG 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE188945
Document Source: CORE
Document Unique ID: 00
Drafter: ARDORNHEIM:CCH
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750276-0184
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750866/aaaacfry.tel
Line Count: 86
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
Review Date: 15 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <15 JUL 2003 by BoyleJA>; APPROVED <17 NOV 2003 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: P.T. BAUD CLAIM
TAGS: CPRS, EINV, ETRD, BEXP, ID, SEA OIL & GENERAL CORP, (BAUD, P T)
To: JAKARTA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006